

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

NIKITA T. SMITH, et al.,

Plaintiffs,

v.

Case No. 16-11882

District Judge George Caram Steeh

Magistrate Judge R. Steven Whalen

CITY OF DETROIT, et al.,

Defendants.

NOTICE OF SETTLEMENT CONFERENCE

TAKE NOTICE that the above-entitled matter has been scheduled for settlement proceedings on **TUESDAY, MAY 7, 2019 at 1:30 P.M.**, before Magistrate Judge R. Steven Whalen, at 635 Theodore Levin Courthouse, 231 W. Lafayette, Detroit, MI 48226. **All parties with full settlement authority must be present.** “Full settlement authority” means authority to settle the case up to the Plaintiff’s last demand or down to the Defendant’s last offer.

The parties shall adhere to the following procedures and **ATTORNEYS WHO FAIL TO COMPLY WITH THESE REQUIREMENTS WILL BE SANCTIONED:**

At least fourteen (14) days prior to the settlement conference, counsel for the parties shall meet and confer in a good-faith attempt to settle the case or to narrow the areas of disagreement. They shall exchange good-faith and *realistic* offers to settle, and shall explain to each other why their demand or offer is reasonable. If a demand

or offer is rejected, the attorney who rejects shall explain to opposing counsel the reasons for the rejection.

Seven (7) days before the settlement conference, the parties shall submit confidential, ex-parte settlement statements directly to the chambers of the Honorable R. Steven Whalen, United States Magistrate Judge. DO NOT FILE THESE STATEMENTS WITH THE COURT. They can be faxed to (313) 234-5117, e-mailed to Terri.Hackman@mied.uscourts.gov and Carolyn.Ciesla@mied.uscourts.gov or hand delivered. These statements shall be limited to ten (10) pages, and shall include the following:

- A short summary of the pre-conference meet-and-confer, including the last demand and offer made;
- A statement of why that demand or offer was rejected;
- A realistic statement of what the party requires in order to settle this case.

While the settlement statement may include a summary of the facts, claims and defenses, it is not a summary judgment motion, and counsel should be mindful that the Magistrate Judge who is facilitating settlement is not trying the case or deciding dispositive motions at this point.

At the settlement conference, the parties and their attorneys are expected to conduct themselves in a business-like manner and to negotiate in good faith. Posturing and other theatrics are prohibited.

s/R. Steven Whalen
R. STEVEN WHALEN
UNITED STATES MAGISTRATE JUDGE

Dated: March 25, 2019

CERTIFICATE OF SERVICE

I hereby certify on March 25, 2019, I electronically filed the foregoing paper with the Clerk of the Court sending notification of such filing to all counsel registered electronically. I hereby certify that a copy of this paper was mailed to the following non-registered ECF participants on March 25, 2019: **None**

s/Terri L. Hackman
Judicial Assistant to
Magistrate Judge R. Steven Whalen